

REMARKS

Claims 3-9, 12-17, 20-26 and 29-36 are pending. Claims 3-9, 12-17, 20-26 and 29-36 have been rejected.

Claims 3-5, 12-14, 20-23, 29-31 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Schmidt (U.S. Patent No. 6,018,668) in view of Schultz (U.S. Patent No. 5,471,646). Applicants respectfully traverse the rejection.

Claim 1 recites a method for initiating a group call in a group communication network. The method includes receiving a request for initiating a group call based on a member list, initiating the group call based on the received member list, announcing the group call to each member in the member list, receiving acknowledgement from a member who wishes to participate in the group call, and forwarding media to the member after its traffic channel is re-established.

Schmidt discloses a method for auto answering a call based on caller ID. In column 3, lines 36-59, an originating phone may be a land-line phone or a mobile phone. The originating phone begins the call procedure by sending a page. The originating phone prepares frame A, which is an abbreviated version of the contents of a traditional page frame from a standard cellular transmission. Included within this frame will be the message to the mobile switching center indicating to the center that the originating phone is dialing a group number as the “phone number.”

In Schmidt, the initiating of a phone call is performed by the originating phone. This is in contrast to the Applicants’ claimed invention where the initiation of the group call is based upon receiving a request for initiating a group call based on a member list and the initiation of the group call is based on the received member list and not a single, originating phone as disclosed in Schmidt.

Additionally, the Examiner acknowledges that Schmidt fails to teach or disclose announcing the group call to each member in the member list and receiving acknowledgement from a member who wishes to participate in the group call and forward the media to the member after its traffic channel is reestablished.

In an attempt to make up for the deficiencies of the primary reference, the Examiner then applies Schultz as a secondary reference. Without acquiescing to the propriety or applicability of the secondary reference, the Applicants respectfully submit that Schultz does not cure the deficiencies of the primary reference that were discussed and noted above.

Therefore, for at least these reasons, the Applicants respectfully submit that the rejection be withdrawn and that claim 3 be allowed.

Claims 4 and 5 are dependent claims that depend upon claim 3 and should be allowed for at least the same reasons presented above regarding claim 3.

Independent claims 6, 12, 14, 20, 23, 29 and 32 relate related subject matter to independent claim 3 and should be allowed for at least the same reasons presented above regarding claim 3 as well as the additionally recited features found in these claims.

Claims 7-9, 13, 36, 15-17, 21-22, 24-26, 30-31, and 33-35 dependent claims that depend upon respective independent claims 6, 12, 14, 20, 23, 29 and 32 and should be allowed for at least the same reasons presented above as well as the additionally recited features found in these claims..

CONCLUSION

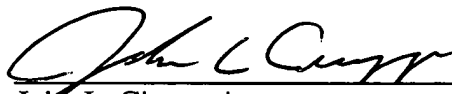
In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: September 20, 2004

By:



John L. Ciccozzi
Reg. No. 48,984
(858) 845-2611

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502